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7 Attorneys for Defendants

8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

10 COUNTY OF SANTA CRUZ, et al.,

No. C 03-1802 JF

11 Plaintiffs,

12 v.

**STIPULATION AND ORDER**  
**SETTING BRIEFING SCHEDULE**  
**AND HEARING DATE**

13 MICHAEL B. MUKASEY,  
Attorney General of the United States;  
14 of the United States; MICHELE  
LEONHART, Acting Administrator of  
15 the Drug Enforcement Administration;  
JOHN P. WALTERS, Director of the  
16 Office of National Drug Control Policy,


17 Defendants.

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19 Plaintiffs, by and through their undersigned counsel, and Defendants, by and through their  
20 undersigned counsel, hereby stipulate to the following briefing and hearing schedule regarding  
21 Defendants' intention to file a motion to dismiss the Third and Fifth Causes set forth in Plaintiff's  
22 Second Amended Complaint.

- 23 1. Defendants shall file a motion to dismiss the Third and Fifth Causes of Action in  
24 Plaintiff's Second Amended Complaint on or before **January 25, 2008**;  
25 2. Plaintiffs shall file an opposition on or before **February 29, 2008**;  
26 3. Defendants shall file a reply, if any, on or before **March 14, 2008**;  
27 4. Plaintiffs shall file a sur-reply, if any, on or before **March 28, 2008**  
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1           5. A hearing on Defendants' motion to dismiss shall be heard on **April 25, 2008**, at 9:00  
2 a.m., or at a time to be determined by the Court.  
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4  
5 The Plaintiffs,

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8 ALLEN HOPPER  
9 American Civil Liberties Union Foundation  
10 1101 Pacific Avenue, Suite 553  
11 Santa Cruz, CA 95060  
12 (831) 471-9000

Respectfully submitted:

The Defendants,

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14  
15 /s/ Mark T. Quinlivan  
16 MARK T. QUINLIVAN  
17 Assistant U.S. Attorney  
18 John Joseph Moakley U.S. Courthouse  
19 1 Courthouse Way, Suite 9200  
20 Boston, MA 02210  
21 (617) 748-3606

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23  
24 Dated: January 17, 2008

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 1/24/08

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18 JEREMY FOGEL  
19 UNITED STATES DISTRICT JUDGE  
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